

AMENDMENTS TO THE DRAWINGS

Attached hereto is one (1) sheet of corrected formal drawings. The corrected formal drawings incorporate the following drawing changes:

In Fig. 1, the legend "Prior Art" has been added.

It is respectfully requested that the corrected formal drawings be approved and made a part of the record of the above-identified application.

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-7 and 9-24 are now present in the application. The drawings and claims 1, 14-17 and 23 have been amended. Claims 1, 14 and 18 are independent. Reconsideration of this application, as amended, is respectfully requested.

Allowable Subject Matter

The Examiner has indicated that claims 18-21 and 24 are allowed and claims 1-7, 9-17, 22 and 23 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §101. Applicants greatly appreciate the indication of allowable subject matter by the Examiner. Applicants greatly appreciate the indication of allowable subject matter by the Examiner.

In the Amendment, claims 1, 14-17 and 23 have been amended to address the rejection under 35 U.S.C. §101, as described hereinbelow. Therefore, it is believed that all pending claims are in condition for allowance.

Drawings Objections

The drawings have been objected to due to the lack of a legend in FIG. 1 such as "Prior Art." Applicants have submitted one (1) sheet of corrected formal drawings to address the Examiner's requested changes. Accordingly, Applicants respectfully submit that this objection has been obviated and/or rendered moot. Reconsideration and withdrawal of this objection are respectfully requested.

Claim Rejections Under 35 U.S.C. §101

Claims 14-17 and 23 stand rejected under 35 U.S.C. § 101 because they are directed to non-statutory subject matter. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that this rejection has been addressed. In particular, claim 14 has been amended to recite “[a] computer-readable storage medium containing a computer program comprising computer-executable instructions for segmenting an image of pixels into a number of fields...” In other words, claim 14 is directed to a computer-readable storage medium, which can be RAM, ROM, PROM, a magnetic disc, optical disc, magneto-optical disc, etc. as disclosed in paragraph [076] of the specification as originally filed, but does not include a signal propagating across the Internet, extranet, intranet or other network.

In particular, the specification of the present application does not define the signal propagating across the Internet, extranet, intranet or other network as a computer readable storage medium. Instead, paragraph [076] of the specification states “[s]uch computer program(s) may also take the form of a signal propagating across the Internet, extranet, intranet or other network and arriving at the destination device for storage and implementation” (emphasis added). Therefore, this signal is not computer-readable until it is stored in a computer-readable storage medium. Accordingly, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. Reconsideration and withdrawal of this rejection are respectfully requested.

Claims 1-7, 9-13 and 22 stand rejected under 35 U.S.C. § 101 because they do not fall within one of the four statutory categories. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that this rejection has been addressed. In particular, claim 1 has been amended to recite “[a] method of segmenting a composite image of pixels of a physical document into a number of fields corresponding to lay-out elements of the image of the physical document...constructing a graph representing the lay-out elements of the image of the physical document...” Support for the amendments to claim 1 can be found at least in FIGs. 2 and 8 as originally filed.

As recited in claim 1, since a physical transformation of an image of a physical document (i.e., data representing a physical object such as a Japanese newspaper in the embodiment of the present application) to a different state (i.e., a graph representing the lay-out elements of the image of the physical document) is performed, claim 1 and its dependent claims are directed to a statutory process because they fully meet the “machine-or-transformation test” adopted by a recent decision of the Federal Circuit Court of Appeals. *In re Bilski*, 545 F.3d 943, 88 U.S.P.Q.2d 1385 (Fed. Cir. 2008)(en banc). Accordingly, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. Reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but merely to show the state of the prior art, no further comments are necessary with respect thereto.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

Reply to Office Action of December 6, 2008

In the event there are any matters remaining in this application, the Examiner is invited to contact Cheng-Kang (Greg) Hsu, Registration No. 61,007 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: **FEB 05 2009**

Respectfully submitted,

By  #61007

Paul C. Lewis

Registration No.: 43,368

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment: One Replacement Sheet